Robert J. Magee, Esquire WORTH, MAGEE & FISHER, P.C. 515 Linden Street, Third Floor Allentown, PA 18101 (610) 437-489 I.D. No.: 30911 Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PA

ARTHUR HERRING, III,

Plaintiff, : No.: 02-CV-2811

VS.

VINCENT MARTELLO, : CIVIL ACTION

MATTHEW CROMER,

CLIFFORD BARCLIFF,

MONTGOMERY COUNTY

COMMUNITY COLLEGE, : JURY TRIAL DEMANDED

WHITPAIN TOWNSHIP,

JOSEPH C. STEMPLE, : THE HONORABLE STEWART DALZELL

WILLIAM BUNTING,

GEORGETTE JACOB,

Defendants.

<u>PURSUANT TO F.R.C.P. 55(a)</u>

- 1. The within matter involves a claim under §1983 and was commenced with the filing of a Complaint;
- 2. The Defendant, Vincent Martello, was properly served with a copy of the Complaint and Summons and related paperwork at his residence under and pursuant to the provisions of F.R.C.P. 4(e)(2). The Return of Service was previously filed with this Court reflecting all pertinent details of the service;
- The time for the Defendant to file an answer or otherwise defend the Complaint has expired;

4. As of the date of the filing of this request for entry of the default, no answer, motion to dismiss, motion for summary judgment or other defense has been filed;

5. Therefore, the Clerk is hereby requested to enter a default against the aforesaid Defendant, Vincent Martello.

Respectfully Submitted,

WORTH, MAGEE & FISHER, P.C.

Robert J. Magee, Esquire Attorney for Plaintiff 515 Linden Street, Third Floor Allentown, PA 18101 (610) 437-4896

I.D. No.: 30911

CERTIFICATE OF SERVICE

I, Robert J. Magee, Esquire, hereby certify that I served a true and correct copy of Request of Entry of Default Judgment Pursuant to F.R.C.P. 55(a), by First Class Mail, to the individual, at the address and on the date indicated below:

John Randolph Prince Levin Legal Group, P.C. 1402 Masons Mill Road 1800 Byberry Road Huntington Valley, PA 19006

Joseph J. Santarone, Jr., Esquire Marshall, Dennehey Suite 1002, One Montgomery Plaza Norristown, PA 19401

> Matthew J. Cromer 2140 Shady Court Yuba City, CA 95991

Vincent Martello 802 George Street Norristown, PA 19401

11-14-02 Date

Robert J. Magee, Esquire Attorney for Plaintiff 515 Linden Street, Third Floor Allentown, PA 18101 (610) 437-4896 I.D. No.: 30911